

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

SALVATORE M. TALLUTO, Derivatively)  
and On Behalf of BEST BUY CO, INC., )

Plaintiff, )

v. )

RICHARD M. SCHULZE, LISA M. )  
CAPUTO, BRIAN J. DUNN, KATHY J. )  
HIGGINS VICTOR, RONALD JAMES, )  
ELLIOT S. KAPLAN, SANJAY )  
KHOSLA, GEORGE L. MIKAN III, )  
MATTHEW H. PAULL, ROGELIO M. )  
REBOLLEDO, HATIM A. TYABJI, )  
GERARD VITTECOQ, )

Defendants, )

and )

BEST BUY CO., INC., a Minnesota )  
corporation, )

Nominal Defendant. )

Civil No. 11-1578 (DWF/FLN)

**ORDER CONSOLIDATING THE  
RELATED ACTIONS,  
APPOINTING LEAD COUNSEL,  
AND RELATED MATTERS**

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[Caption continued on next page]

DANIEL HIMMEL, Derivatively on Behalf  
of BEST BUY CO., INC.,

Plaintiff,

v.

BRIAN J. DUNN, JAMES L.  
MUEHLBAUER, RICHARD M.  
SCHULZE, MATTHEW H. PAULL,  
HATIM A. TYABJI, KATHY J. HIGGINS  
VICTOR, RONALD JAMES, ROGELIO  
M. REBOLLEDO, GEORGE L. MIKAN  
III, GÉRARD R. VITTECOQ, SANJAY  
KHOSLA, LISA M. CAPUTO,  
BRADBURY H. ANDERSON, ALLEN U.  
LENZMEIER, ELLIOT S. KAPLAN, and  
FRANK D. TRESTMAN,

Defendants,

and

BEST BUY CO., INC., a Minnesota  
corporation,

Nominal Defendant.

Civil No. 11-1904 (DWF/FLN)

Having considered the Parties' Stipulation Consolidating Related Actions,  
Appointing Lead Counsel, and Related Matters Thereon (Civil No. 11-1578 (DWF/FLN,  
Doc. No. [12]), and good cause appearing therefore, **IT IS HEREBY ORDERED** that:

1. The following actions are hereby related and consolidated for pre-trial  
proceedings:

<u>ABBREVIATED CASE NAME</u>	<u>CASE NUMBER</u>	<u>DATE FILED</u>
<i>Talluto v. Schulze, et al.</i>	Civil No. 11-1578 (DWF/FLN)	June 15, 2011
<i>Himmel v. Dunn, et al.</i>	Civil No. 11-1904 (DWF/FLN)	July 13, 2011

2. Every pleading filed in these consolidated actions, or in any separate action  
included herein, shall bear the following caption

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE BEST BUY CO., INC.	)	Master Docket Civil No. 11-1578 (DWF/FLN)
SHAREHOLDER DERIVATIVE	)	
LITIGATION	)	(Consolidated with Civil No. 11-1904
This Document Relates To:	)	(DWF/FLN))
ALL ACTIONS.	)	Judge Donovan W. Frank

3. When a pleading or other court paper filed in the consolidated action is intended to apply to all actions therein, the words "All Actions" shall appear immediately after the words "This Document Relates To:" in the caption set forth above. When a pleading or other court paper is intended to be applicable only to one, or some, but not all of such actions, the party filing the document shall indicate the action(s) to which the document is intended to be applicable by last name of the named plaintiff(s) and the docket number(s). The files of these consolidated actions shall be maintained in one file under Master Docket Civil No. 11-1578 (DWF/FLN).

4. Co-Lead Counsel for plaintiffs for the conduct of the Consolidated Actions are:

ROBBINS UMEDA LLP  
BRIAN J. ROBBINS  
FELIPE J. ARROYO  
SHANE P. SANDERS  
GINA STASSI  
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RANDALL K. PULLIAM  
11311 Arcade Dr., Suite 200  
Little Rock, AR 72211  
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rpulliam@carneywilliams.com

5. Plaintiffs' Co-Lead Counsel shall have authority to speak for plaintiffs in matters regarding pre-trial procedure, trial, and settlement negotiations and shall make all work assignments in such manner as to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort.

6. Plaintiffs' Co-Lead Counsel shall be responsible for coordinating all activities and appearances on behalf of plaintiffs. No motion, request for discovery, or other pre-trial or trial proceedings shall be initiated or filed by any plaintiff except through plaintiffs' Co-Lead Counsel.

7. Liaison Counsel for plaintiffs for the conduct of these consolidated actions is:

ANDERSON, HELGEN, DAVIS & NISSEN, PA  
HENRY M. HELGEN, III (#151075)  
AMANDA R. CEFALU (309436)  
150 South Fifth Street, Suite 3100  
Minneapolis, MN 55403  
Telephone: (612) 435-6363  
Facsimile: (612) 435-6379  
hnh@andersonhelgen.com  
arc@andersonhelgen.com

8. Plaintiffs' Liaison Counsel shall be available and responsible for communications to and from this Court, including distributing orders and other directions from the Court to counsel. Plaintiffs' Liaison Counsel shall be responsible for creating and maintaining a master service list of all parties and their respective counsel.

9. Defendants' counsel may rely upon all agreements made with any of plaintiffs' Co-Lead Counsel, or other duly authorized representative of plaintiffs' Co-Lead Counsel, and such agreements shall be binding on plaintiffs.

10. This Order shall apply to each case, arising out of the same or substantially the same transactions or events as these cases, which is subsequently filed in, removed to, or transferred to this Court.

11. When a case which properly belongs as part of the *In re Best Buy Co, Inc. Shareholder Derivative Litigation*, Master Docket Civil No. 11-1578 (DWF/FLN), is hereafter filed in the Court or transferred here from another court, this Court requests the assistance of counsel in calling to the attention of the clerk of the Court the filing or transfer of any case which might properly be consolidated as part of the *In re Best Buy Co, Inc. Shareholder Derivative Litigation*, Master Docket Civil No. 11-1578

(DWF/FLN), and counsel are to assist in assuring that counsel in subsequent actions receive notice of this Order.

12. Defendants need not respond to the individual complaints that have already been filed in this Court until 60 days after the actions have been consolidated and a consolidated complaint has been filed (or one complaint has been designated the operative complaint), or 60 days after a stay of these matters has been lifted, whichever period is longer.

Dated: November 17, 2011

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge